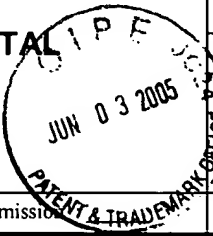


# TRANSMITTAL FORM



Application Number: 09/901,429  
 Filing Date: July 9, 2001  
 First Named Inventor: David N. Herndon  
 Art Unit: 1614  
 Examiner Name: Vickie Y. Kim  
 Attorney Docket Number: CLFR:218US

Total Number of Pages in this Submission

## ENCLOSURES (check all that apply)

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><input checked="" type="checkbox"/> Form PTO-1449<br><input checked="" type="checkbox"/> References <u>A1-A2, B1, C1-C9</u><br><input type="checkbox"/> Certified Copy of Priority Documents<br><input type="checkbox"/> Reply to Missing Parts/Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts/Requirements<br><input type="checkbox"/> Declaration(s) _____<br><input type="checkbox"/> Copy of Notice of Missing Parts/Requirements | <input type="checkbox"/> Drawings(s) _____<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address<br><input type="checkbox"/> Statement under 37 CFR §3.73(b)<br><input type="checkbox"/> Designation of Patent Practitioners<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below)<br><input checked="" type="checkbox"/> Check in the amount of \$180.00<br><input checked="" type="checkbox"/> Authorized to be charged to deposit account if check insufficient or inadvertently omitted<br>Deposit account number: <u>50-1212/CLFR:218US</u><br><input type="checkbox"/> Sequence Statement<br><input type="checkbox"/> Paper Copy of Sequence Listing<br><input type="checkbox"/> Computer Readable Form (CRF)<br><input checked="" type="checkbox"/> Postcard<br><input type="checkbox"/> _____<br><input type="checkbox"/> _____ |
|--|---|---|

Remarks:

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Fulbright & Jaworski, L.L.P.	Customer Number	32425
Signature	<i>Monica A. De La Paz</i>		
Printed Name	Monica A. De La Paz	Reg. No.	54,662
Date	May 31, 2005		

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: MS AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	<i>Monica A. De La Paz</i>		
Typed or Printed Name	Monica A. De La Paz	Date	May 31, 2005



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
David N. Herndon

Serial No.: 09/901,429

Filed: July 9, 2001

For:  $\beta$ -ADRENERGIC BLOCKADE  
REVERSAL OF CATABOLISM AFTER  
SEVERE BURN

Group Art Unit: 1614

Examiner: Vickie Y. Kim

Atty. Dkt. No.: CLFR:218US

**CERTIFICATE OF MAILING  
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May 31, 2005

Date

*mDeLaPaz*  
Monica A. De La Paz

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

**MS AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R §§ 1.97(g), (h), this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be

construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

A fee as set forth in 37 C.F.R. § 1.17(p) in the amount of \$180.00 is enclosed. If an appropriate check has not been enclosed, or if it is insufficient, the Commissioner is authorized to deduct the appropriate fees from Fulbright & Jaworski L.L.P. Account No.: 50-1212/CLFR:218US.

Applicant respectfully requests that the listed documents be made of record in the present case.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Monica De La Paz" with a stylized flourish at the end.

Monica A. De La Paz  
Reg. No. 54,662  
Attorney for Applicant

FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, Texas 78701  
(512) 474-5201

Date: May 31, 2005

Form PTO-1449 (modified)

List of Patents and Publications for Applicants

## INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

Atty. Docket No.  
CLFR:218USSerial No.  
09/901,429Applicant  
David N. HerndonFiling Date:  
July 9, 2001Group:  
1614U.S. Patent Documents  
See Page 1Foreign Patent Documents  
See Page 1Other Art  
See Page 1

## U.S. Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.
	A1	2001/0056068	12/27/01	Chwalisz <i>et al.</i>	514	21	3/4/98
	A2	6,194,578	2/27/01	Griffith <i>et al.</i>	544	349	7/7/99

## Foreign Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No
	B1	WO 96/04233					

## Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C1	Baron <i>et al.</i> , "Prolonged use of propranolol safely decreases cardiac work in burned children," <i>J. Burn Care Rehabil.</i> , 18:223-227, 1997.
	C2	Breitenstein <i>et al.</i> , "Effects of beta-blockade on energy metabolism following burns," <i>Burns</i> , 16:259-264, 1990.
	C3	Chance <i>et al.</i> , "Clenbuterol decreases catabolism and increases hypermetabolism in burned rats," <i>Journal of Trauma</i> , 31(3):365-370, 1991.
	C4	Hart <i>et al.</i> , "Anticatabolism after sever burn: synergism between growth hormone and propranolol," Abstract in <i>Surg. Forum</i> , 51:196-197, 2000.
	C5	Herndon <i>et al.</i> , "Effect of propranolol administration on hemodynamic and metabolic responses of burned pediatric patients," <i>Ann. Surg.</i> , 208:484-492, 1988.
	C6	Herndon <i>et al.</i> , "Lipolysis in burned patients is stimulated by the $\beta_2$ -receptor for catecholamines," <i>Arch. Surg.</i> , 129:1301-1305, 1994.
	C7	Maggi <i>et al.</i> , "Beta-1 blockade decreases cardiac work without affecting protein breakdown or lipolysis in severely burned patients," <i>Surgical Forum</i> , 44(0):25-27, 1993.
	C8	Mangano <i>et al.</i> , "Effect of atenolol on mortality and cardiovascular morbidity after noncardiac surgery. Multicenter Study of Perioperative Ischemia Research Group," <i>N. Engl. J. Med.</i> , 335:1713-1720, 1996.

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EXAMINER:

DATE CONSIDERED:

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

Form PTO-1449 (modified)		Atty. Docket No. CLFR:218US	Serial No. 09/901,429
List of Patents and Publications for Applicant's INFORMATION DISCLOSURE STATEMENT  (Use several sheets if necessary)		Applicant David N. Herndon	
		Filing Date: July 9, 2001	Group: 1614
U.S. Patent Documents <i>See Page 1</i>	Foreign Patent Documents <i>See Page 1</i>	Other Art <i>See Page 1</i>	

### Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C9	Miniffee <i>et al.</i> , "Improved myocardial oxygen utilization following propranolol infusion in adolescents with postburn hypermetabolism," <i>Pediatr. Surg.</i> , 24:806-810, 1989.

25487002.1

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DATE CONSIDERED:

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